

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL CASE NO. 5:18-cv-00057-MR**

JAMES W. LOMICK,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
KEN BEAVER, et al.,)	
)	
Defendants.)	
_____)	

**TO: U.S. Marshal, Western District of North Carolina, Asheville,
North Carolina.**

**TO: Warden, Warren Correctional Institution, Manson, North
Carolina.**

THIS MATTER is before the Court on the parties' settlement of this
matter.

On September 22, 2021, the Court ordered the transport and safe
keeping of Plaintiff **James W. Lomick**, offender number **0247233**, for his
appearance before the undersigned Chief United States District Judge
Martin Reidinger, in and for the United States District Court for the Western
District of North Carolina, at the courtroom in the city of Asheville, North

Carolina, on or before **November 15, 2021, at 9:00 a.m.**, to be present for the trial in this matter. [Doc. 106].

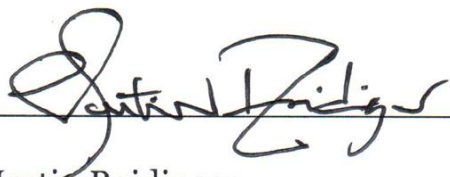
The parties have advised the Court of their settlement of this matter and have filed the documents necessary for the Court to remove the case from the Court's trial calendar. Plaintiff's appearance, therefore, is no longer required.

IT IS, THEREFORE, ORDERED that the Writ of Habeas Corpus Ad Testificandum issued on September 22, 2021 in this matter [Doc. 106] is hereby **VACATED**. Plaintiff's presence is no longer required.

IT IS FURTHER ORDERED that the Clerk's Office is respectfully directed to send a copy of this Order and a copy of Docket No. 106 to all parties, the U.S. Marshal, the Warden of the Warren Correctional Institution, Box 728, Norlina, North Carolina 27563, and to Joyce Meadows, Administrative Specialists Writs for NCDPS at joyce.meadows@ncdps.gov.

IT IS SO ORDERED.

Signed: November 9, 2021



Martin Reidinger
Chief United States District Judge

